## UNITED STATES COURT OF APPEALS

May 5, 2008

## FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker **Clerk of Court** 

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

No. 07-4145 (D.C. No. 2:06-CR-778-DAK) D. of Utah

JEROME CORTEZ BROOKS,

Defendant - Appellant.

**ORDER** 

Appellant's motion to dismiss is granted. 10th Cir. R. 27.3(A)(9).

A certified copy of this order shall stand as and for the mandate of the court.

Entered for the Court

ELISABETH A. SHUMAKER, Clerk

Elisabeth a. Shumake